

## Unveiling Donor Lists Unpopular

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WASHINGTON — Some of former President Clinton's most ardent foes and supporters have found something they can agree on: Requiring the financial disclosure of donations to presidential libraries is a terrible idea.

Rarely will you find such diverse groups as the Christian Coalition, the American Civil Liberties Union and the Gun Owners of America so united. They all fear that once you require one nonprofit entity to list its financial donors, others eventually will have to do the same.

Their efforts appear to have stalled the momentum that had built on Capitol Hill for such disclosure.

"The government gets pretty clever about how it wants to extract information, and, of course, it always has a good reason to intrude on the rights of its citizens," said William J. Olson, legal co-counsel for the Free Speech Coalition, an organization that works to protect First Amendment rights. "Even if it involves someone who is unpopular today, tomorrow it will be somebody else, and this dangerous precedent will exist."

So far, two bills have been filed that would require foundations for presidential libraries to disclose donors. Neither has made it out of committee.

It was only a few months ago that a bill sponsored by Rep. John Duncan, R-Tenn., got rave reviews from colleagues and interest groups.

Duncan first suggested requiring disclosure of contributors to presidential libraries about two years ago, but the bill he sponsored in the 106th Congress went nowhere. This time, the introduction of his bill coincided with the furor arising from Clinton's pardon of fugitive financier Marc Rich and the revelation that Rich's former wife, Denise Rich, had donated \$450,000 toward construction of the Clinton library and museum in Little Rock.

Duncan's House bill gained instant popularity. On the Senate side, a similar bill was introduced, with Sen. Hillary Rodham Clinton, D-N.Y., signing on as a co-sponsor.

But then came an amendment from Rep. Jan Schakowsky, D-Ill., that would require all nonprofit entities named for or controlled by congressmen to list their donors.

"When that happened, it changed a lot of people's thinking about the bill," said David Balloff, a spokesman for Duncan.

Several congressmen have nonprofit foundations named for them. Roll Call, a newspaper that covers Capitol Hill, recently cited some examples: The Trent Lott Leadership Institute at the University of Mississippi, the Jesse Helms Center at Wingate University in North Carolina, the (Mitch) McConnell Center for Political Leadership at the University of Louisville in Kentucky and the Strom Thurmond Institute of Government and Public Affairs at Clemson University in South Carolina.

Democrats have nonprofit entities named after them, too. For example, there is the Robert Byrd Academic and Technology Center at Marshall University in West Virginia.

Olson, the Free Speech Coalition lawyer, said the opposition developed slowly.

"We didn't know about it until the scope of the bill was expanded," Olson said. "So many bad ideas circulate on Capitol Hill that it's impossible to keep track of them all."

Olson said the Supreme Court has consistently ruled in favor of nonprofit entities that want to keep donations private. He cited as an example efforts in the South to obtain the names of contributors to the National Association for the Advancement of Colored People.

He said Duncan's bill probably would not prompt lawsuits if it only pertained to presidential libraries. But if the scope of the bill is broadened to include organizations controlled by members of Congress or connected to members of Congress, then lawsuits are assured.

"I can assure you," Olson said, "if it applies more broadly, any number of groups who fully understand the danger of letting the government's nose under this particular tent will not stand idly by and let it happen."

But a spokesman for Hillary Clinton predicted that the courts could distinguish between politicians and nonprofit groups.

"She has indicated that she would like to support that amendment," said Clinton's spokesman, Jim Kennedy. "She is generally in favor of disclosure when it comes to contributions of various kinds to public officials."

Some of the groups that originally spoke for the bill, such as Common Cause, an interest group that seeks to have as much disclosure of political fund-raising as possible, continue to support Duncan's bill.

"Certainly the base bill - that seems like an eminently reasonable thing to ask for," said Celia Wexler, a senior policy analyst for Common Cause. "The library operates with government support, and we've seen the mischief that can result from the donations made.

"The idea that you might extend disclosure to groups named after members of Congress, well, in principle, we tend to support disclosure. Whether it passes constitutionally, we have not determined whether it does so."

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